

JOURNAL OF THE SENATE

Monday, May 10, 1943

The Senate convened at 3:00 o'clock P. M., pursuant to adjournment on Friday, May 7, 1943.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

A quorum present.

Senator Black was excused from attendance upon the Session today.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Wednesday, May 5, 1943, was further corrected as follows:

On page 7, column 1, strike out lines 6 to 37 inclusive, counting from the bottom of the page, and insert in lieu thereof the following:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION RELATING TO THE ELECTION OF STATE ATTORNEYS, JUDGES OF CRIMINAL COURTS OF RECORD AND COUNTY SOLICITORS (EXCEPT THE JUDGE AND SOLICITOR OF THE COURT OF RECORD OF ESCAMBIA COUNTY), AND PROVIDING FOR FILLING VACANCIES IN ANY OF SUCH OFFICES PRIOR TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN JANUARY, 1949, BY APPOINTMENT BY THE GOVERNOR AND CONFIRMATION BY THE SENATE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Article V of the Constitution of the State of Florida be amended by adding thereto an additional section to be known as Section 47 of said Article, relating to the election of State Attorneys, Judges of Criminal Courts of Record and County Solicitors (except the Judge and Solicitor of the Court of Record of Escambia County) and the same is hereby agreed to, and shall be submitted to the electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, 1944, as follows:

"Section 47. State Attorneys, Judges of the Criminal Courts of Record and County Solicitors (except the Judge and Solicitor of the Court of Record of Escambia County) shall hereafter be elected by the qualified electors of their respective judicial circuits or counties as other State and county officials are elected.

"The first election of State Attorneys, Judges of Criminal Courts of Record and County Solicitors (except the Judge and Solicitor of the Court of Record of Escambia County) shall be held at the General Election in 1948 to take office the first Tuesday after the first Monday in January, 1949, for a term of four years.

"The term or tenure of office of anyone heretofore or hereafter appointed to any of the offices herein mentioned shall not be extended hereby. Any vacancy in any of such offices prior to said first Tuesday after the first Monday in January, 1949, shall be filled by appointment by the Governor and confirmation by the Senate as heretofore provided by the Constitution but in no case for any longer than until the first Tuesday after the first Monday in January, 1949.

"Any provision of the Constitution in conflict herewith is hereby repealed."

And as further corrected was approved.

The Journal of Friday, May 7, 1943, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Your Committee on Welfare, to whom was referred:

House Memorial No. 11:

A Memorial relating to the General Welfare Act known as House Resolution No. 836.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,

J. EDWIN BAKER,

Chairman of Committee.

And House Memorial No. 11, contained in the above report, was laid on the table.

Your Committee on Welfare, to whom was referred:

House Bill No. 103:

A bill to be entitled An Act granting a pension to Hardy Tadlock of Holmes County, Florida.

Have had the same under consideration, and report same without recommendation.

Very respectfully,

J. EDWIN BAKER,

Chairman of Committee.

And House Bill No. 103, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Baker, Chairman of the Committee on Welfare, reported that the Committee had carefully considered the following bill and recommends that the same pass, with Committee amendment:

Senate Bill No. 14:

A bill to be entitled An Act amending Chapter 18285, Section 10, Laws of Florida, 1937, entitled: "An Act creating a State Welfare Board and District Welfare Boards and providing for their appointment, qualifications, powers and duties; providing that said State Board shall be the agent for the United States, State, County and Municipal Governments in the administration of funds for the relief of unfortunates; and authorizing the said boards to act as agent for the United States, State, County and Municipal Governments in the administration of any funds for investigations, social welfare work, or any other work incident to the public welfare of the United States, State, County and Municipal Governments; authorizing the State Welfare Board to promulgate rules and regulations necessary to carry out the intent and purposes of this Act; providing for the supervision of State and local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children; authorizing the State Welfare Board to establish minimum standards of care for all local public and private institutions or agencies; creating the office of State Welfare Commissioner and providing for his appointment, providing that this Act shall not affect the enforcement of Chapter 9274, Acts of 1923, of Chapter 11834, and 13384, Acts of 1927, of Chapter 13620, Acts of 1929, and Acts amendatory thereof; repealing all other laws or parts of laws in conflict herewith; and making appropriations to carry out the purposes of said Act; and fixing the qualifications of persons entitled to monetary benefits or assistance under this Act.

Which amendment reads as follows:

In Section 1, page 2, strike out the words, "sixty years of age" and insert the following: "forty-five years of age and a reasonable time shall be allowed for persons to qualify under this section, and shall be applicable only to persons employed after the date of passage of this Act."

J. EDWIN BAKER,

Chairman of Committee.

And Senate Bill No. 14, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:
Senate Bill No. 15:

A bill to be entitled An Act amending Chapter 18285, Section 17, Laws of Florida, 1937, entitled: "An Act creating a State Welfare Board and District Welfare Boards and providing for their appointment, qualifications, powers and duties; providing that said State Board shall be the agent for the United States, State, County and Municipal Governments in the administration of funds for the relief of unfortunates; and authorizing the said boards to act as agent for the United States, State, County and Municipal Governments in the administration of any funds for investigations, social welfare work, or any other work incident to the public welfare of the United States, County, State and Municipal Governments; authorizing the State Welfare Board to promulgate rules and regulations necessary to carry out the intent and purposes of this Act; providing for the supervision of State and local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children; authorizing the State Welfare Board to establish minimum standards of care for all local public and private institutions or agencies; creating the office of State Welfare Commissioner and providing for his appointment, providing that this Act shall not affect the enforcement of Chapter 9274, Acts of 1923, of Chapter 11834, and 13384, Acts of 1927, of Chapter 13620, Acts of 1929, and Acts amendatory thereof; repealing all other laws or parts of laws in conflict herewith; and making appropriations to carry out the purposes of said Act; and fixing the qualifications of persons entitled to monetary benefits or assistance under this Act.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 15, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on County Organizations, to whom was referred:

House Bill No. 312:

A bill to be entitled An Act relating to bond issues for road and bridge purposes issued in any county of the State of Florida having a population of not less than 15,000 and not more than 16,000 according to the 1940 Federal census being retired, in which event the Clerk of the Circuit Court shall distribute money that he now has on hand or may hereafter receive from the collection of delinquent taxes levied for the purpose of paying said bonds to Road and Bridge Maintenance Fund of district of such county if money received by Clerk from collection of delinquent taxes was levied for payment of bonds for road and bridge purposes in such district.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

THOS. S. MADDOX,
Chairman of Committee.

And House Bill No. 312, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B," to whom was referred:
Senate Bill No. 230:

A bill to be entitled An Act to provide a method for a person now serving in any of the armed forces of the United States of America who had prior to such service been elected or appointed to a State or county office for a term to expire subsequent to the primary election in 1944 to become a candidate in the primary election in 1944 for renomination to such office without the necessity of filing any oath, declaration, report, receipt, or to pay any assessment or fee to the State or county or to any executive committee of any political party; and providing for the duties of the Secretary of State of the State of Florida and of the County Commissioners of any county of this State in relation thereto, and repealing all laws in conflict herewith.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

In Section 1, line 1 of the bill after the word "person" and before the word "elected" insert the following: "Except

members of the Florida State House of Representatives and the Florida State Senate."

Amendment No. 2:

In the bill strike out Sections 5 and 6 and insert the following in lieu thereof:

Section 5. This Act shall apply only to the first person securing a leave of absence or resigning as aforesaid in Section 1 of this Act or under Chapter 115, Florida Statutes of 1941, and not to any person subsequently appointed or elected to fill the unexpired term of any person in the armed forces of the United States of America.

Section 6 All laws or parts of laws in conflict herewith be and the same are hereby repealed.

Section 7. This Act shall take effect upon becoming a law.

Very respectfully,

A. G. MCARTHUR,
Chairman of Committee.

And Senate Bill No. 230, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 105:

A bill to be entitled An Act designating and establishing a State road to extend from Harrisburg in Glades County, Florida, southwesterly to LaBelle, Florida.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

K. GRINER,
Chairman of Committee.

And Senate Bill No. 105, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 357:

A bill to be entitled An Act authorizing the State and counties to sell or donate State-owned and county-owned typewriters under certain circumstances.

Senate Bill No. 105:

A bill to be entitled An Act designating and establishing a State road to extend from Harrisburg in Glades County, Florida, southwesterly to LaBelle, Florida.

Hereby reports that the above bills have been correctly enrolled and are presented herewith for the signature of the President and Secretary of the Senate.

Very respectfully,

S. A. HINELY,
Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

The Bills contained in the above report were duly signed by the President and Secretary of the Senate in open session, and ordered to be transmitted to the House for the signature of the Speaker and Chief Clerk of the House of Representatives.

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 333:

A bill to be entitled An Act authorizing the City of Miami, Florida, to construct, and to improve, extend, enlarge, reconstruct, maintain, equip, repair and operate a sewage disposal system or systems, either within or without or partly within and partly without the territorial boundaries of the city, and to construct other sewer improvements within the city; prescribing the powers and duties of the City Commission and of the Water and Sewer Board of said City in connection with such construction and the financing thereof; providing for the issuance of revenue bonds of the city, payable solely from revenues, to pay all or a part of the cost of such construction; providing that no debt of the city shall be incurred in the exercise of any of the powers granted by this Act; providing for the execution of a trust agreement to secure the payment of such revenue bonds without mortgaging or encumbering any such system; providing for the imposition and collection of rates, fees and charges for the services and facilities rendered by any such sewage disposal

system, and for the application of such revenues; authorizing the pledge of surplus water revenues; authorizing the issuance of sewer revenue refunding bonds and of water and sewer revenue bonds; and exempting all such revenue bonds and also the waterworks system and the sewer system, including such sewage disposal systems, from taxation.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

S. A. HINELY.

Chairman of the Joint Committee on Enrolled Bills on the part of the Senate.

Bill contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 225:

A bill to be entitled An Act to amend Chapter 20733, Laws of Florida, Acts of 1941, (Sec. 585.43 Florida Statutes, 1941), same being entitled: "An Act relating to distribution and administration of anti-hog cholera serum and hog cholera virus by the State Live Stock Sanitary Board; limiting free distribution thereof to bona fide farmers and providing for distribution of same at cost to all others."

Beg leave to report that the same have this day been presented to the governor for his approval

Very respectfully,

S. A. HINELY.

Chairman of the Joint Committee on Enrolled Bills on the part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 355:

A bill to be entitled An Act relating to pari-mutuel pools, commissions thereon, the distributions thereof, the "breaks" and defining same, regulating the purchase and sale of an interest in any such pool, making it a crime to violate such regulations and amending Section 16 of Chapter 14832, Laws of Florida, Acts of 1931, as amended by Section 10 of Chapter 17276, Laws of Florida, Acts of 1935, relative thereto; and levying a tax upon every licensee conducting a horse race meet, or operating a race track equal to five per centum of the total contributions to all pari-mutuel pools on horse races in addition to all other taxes otherwise levied or assessed; and providing when and where said taxes shall be paid, making an appropriation thereof and designating said tax as the "Old Age Assistance Tax," and providing deductions from said tax to be paid in equal amounts to the counties of this State, according to law, should the amounts payable to said counties from horse race meets be less than the total amount distributed to the said counties therefrom in the racing season 1940-1941, and providing a penalty for wilful or wanton non-payment of tax.

House Bill No. 376:

A bill to be entitled An Act designating the Office of Supervisor of Registration of Putnam County, Florida, in the County Court House, at Palatka, Florida, as the sole and only place where those offering to register to vote at any general, special or primary election, may register; and requiring the registration books of said county to, at all times be kept at said place for such purpose.

Committee Substitute for House Bill No. 6:

A bill to be entitled An Act to amend Section 347.08 of the "Florida Statutes, 1941," authorizing the State Railroad Commission to regulate the operation of and fix tolls for certain toll bridges, toll roads and causeways in the State of Florida.

House Concurrent Resolution No. 10:

A Resolution thanking H. Herbert Romanoff and the Ma-

sonic Service Association for their effort on behalf of the men in our armed forces and the cause of democracy.

House Concurrent Resolution No. 12:

A Concurrent Resolution requesting the House Committees on Appropriations and Finance and Taxation, and the Senate Committees on Appropriations and Finance and Taxation to investigate new sources of revenue, to the end that the appropriation for Old Age Assistance may be doubled.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY.

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 416:

A bill to be entitled An Act to amend Section 9 of Chapter 16,692, Special Acts of 1933, Laws of Florida, relating to the provisions for the payment of compensation to members of the City Commission, the said Act being entitled: "An Act to abolish the present municipal government of the City of Stuart, in Martin County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Stuart, and to define its territorial boundaries and provide for its government, jurisdiction, powers, franchises and privileges."

House Bill No. 417:

A bill to be entitled An Act rectifying, ratifying, confirming, validating and legalizing the assessments, valuations of properties, levies of taxes, tax certificates, the filing and recording of lists of tax certificates, and tax sales, made by the City of Stuart, Martin County, Florida, for the years, A. D. 1941 and 1942, and authorizing the collection of said taxes in the manner provided by law.

House Bill No. 426:

A bill to be entitled An Act to amend Sections 3 and 4 of Chapter 14371, Laws of Florida, Acts of 1929, entitled "An Act to constitute, organize and establish a municipality to be known and designated as the 'City of Sebring,' in the County of Highlands and the State of Florida, and to define its territorial boundaries and to provide for its jurisdiction, powers, privileges, and to validate all obligations, contracts, debts, bonds, ordinances, assessments and levies, and to repeal Chapter 11158, Laws of Florida, Acts of 1925, and all other laws or parts of laws in any way in conflict with this Act insofar as they affect the same but no further, and to provide for a referendum to be submitted to the qualified electors of said city."

House Bill No. 431:

A bill to be entitled An Act authorizing and empowering the City of Panama City to enforce the payment, by foreclosure suit or otherwise, all delinquent city taxes, which have heretofore and which may hereafter accrue on lands in said city; providing for payment of Court costs and reasonable attorney's fees in such foreclosure suits, upon which taxes may be delinquent for a period of two years; and to declare valid and legal all assessments for taxes and proceedings in connection therewith for all assessments in said city for the year 1942 and prior years; and authorizing and empowering the City Clerk of the City of Panama City to execute tax deeds upon lands in the City of Panama City, upon which taxes have been delinquent for a period of two years or more; and to follow the same procedure with respect to issuing tax deeds as now provided by law covering the issuance of tax deeds by the Clerk of the Circuit Court in the State of Florida.

House Bill No. 430:

A bill to be entitled An Act ratifying, validating and confirming provisions of Ordinance No. 422 Council Series of the Ordinances of the City of Key West, Florida, providing for relief payments to certain officers of said city; and requiring payment of such relief payments.

House Bill No. 327:

A bill to be entitled An Act to repeal in its entirety Chapter 21233, Laws of Florida, Special Acts of 1941, entitled "An Act to amend Chapter 10552, Laws of Florida, Special Acts of

1925, and Acts amendatory thereto, by providing for the establishment of a system of personnel administration for the Civil Service of all departments of the City of Fort Lauderdale, a municipal corporation of Florida, and providing for a referendum thereon; and to re-enact Sections 47 and 50. of Chapter 10552, Laws of Florida, Special Acts of 1925, which Sections created the police and fire forces, respectively, of the City of Fort Lauderdale, Broward County, Florida; and providing for a referendum thereon.

House Bill No. 331:

A bill to be entitled An Act rectifying, ratifying, confirming, validating and legalizing the assessments, valuations of properties, levies of taxes, tax certificates and tax sales made by the City of Chipley, Florida, for the year 1941 and all prior years.

House Bill No. 260:

A bill to be entitled An Act authorizing the State Board of Administration to return to the Board of County Commissioners of Calhoun County, for the use of Clyde C. Pierce Corporation of Jacksonville, Florida, certain ad valorem tax funds.

Committee Substitute for House Bill No. 42:

A bill to be entitled An Act relating to the acknowledgment of deeds, conveyances, mortgages, relinquishments of dower, contracts for the sale of lands, powers of attorney and other instruments; amending Section 693.03 of the Florida Statutes, 1941, relating to the acknowledgment of such instruments by married women; providing a form of certificate of acknowledgment of any individual; validating certain acknowledgments by married women.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 292:

A bill to be entitled An Act providing for the creation of a Delinquent Tax Adjustment Board in all counties in the State of Florida whose population according to the 1940 Federal census is not less than 5,750 and not more than 5,950 prescribing the powers and duties of such board; providing for the compromise, sale and adjustment or cancellation of tax sale certificates held by the State of Florida, or, by any county whose population is as stated above upon certain conditions; providing for the fees to be paid to certain officers.

House Bill No. 352:

A bill to be entitled An Act to authorize, ratify, validate and confirm certificates of indebtedness heretofore issued by the Board of County Commissioners of Martin County, Florida, in payment of lands purchased for "Stuart Airport" in said county, and authorizing and directing the collection of a tax to pay same.

House Bill No. 353:

A bill to be entitled An Act fixing the salary of the Clerk of the Criminal Court of Record of Monroe County, Florida; providing the fund out of which said salary shall be paid; providing, further, that all fees and costs collected by the Clerk of the Criminal Court of Record shall be deposited in the depository of the county to the credit of the Fine and Forfeiture Fund.

House Bill No. 354:

A bill to be entitled An Act validating and confirming all expenditures made in excess of budgeted items by the Board of County Commissioners of Martin County, Florida, during the fiscal years 1941 and 1942; repealing all laws or parts of laws in conflict herewith; and providing when such Act shall become effective.

House Bill No. 357:

A bill to be entitled An Act authorizing and directing the Treasurer of the State of Florida to pay to the Board of County Commissioners of Nassau County, Florida, to be credited to the County Welfare Fund, all money coming into his hands from the sale of any property in Nassau County,

Florida, left by any decedent dying after the effective date of this Act and which property shall have been escheated to the State of Florida and sold and converted into money and paid to the said Treasurer under the provisions of Section 731.33 of the Florida Statutes (Revision of 1941).

House Bill No. 358:

A bill to be entitled An Act to make it unlawful for hogs, cattle, horses, mules, sheep and goats to run at large in that portion of Manatee County, Florida, lying north of the Manatee River and west of the range line dividing Ranges 19 and 20 (East); to provide for the impounding and sale of such animals when found at large in violation of this Act; to provide punishment for the owners of such animals, who permit the same to run at large in violation of this Act, and for prosecution of such persons.

House Bill No. 360:

A bill to be entitled An Act relating to Pomello Drainage District, a Drainage District organized and existing under the Laws of Florida and embracing certain lands in Manatee County, Florida, permitting landowners at their option to pay Pomello Drainage District taxes to the Treasurer of the District; providing for record to be made thereof and fee to be paid collector in connection therewith; ratifying, confirming and validating certain acts and proceedings of the receiver, Board of Supervisors and officers of the District.

House Bill No. 364:

A bill to be entitled An Act fixing the compensation of the Boards of County Commissioners in all counties of the State of Florida having a population of more than 10,000 and less than 10,150, according to the last State or Federal census.

House Bill No. 369:

A bill to be entitled An Act to prescribe the commissions and fix the compensations of the County Assessor of Taxes and the County Tax Collector in all counties of the State of Florida having a population of not less than 10,000 and not to exceed 10,150, according to the last State or Federal census.

House Bill No. 373:

A bill to be entitled An Act to authorize and permit the Board of County Commissioners of Taylor County, Florida, to purchase a certain building and lot of land in the Town of Perry, Florida, for county use and purposes; providing the necessary funds for such purpose; and designating the fund from which said money shall be paid.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 333:

A bill to be entitled An Act authorizing the City of Miami, Florida, to construct, and to improve, extend, enlarge, reconstruct, maintain, equip, repair and operate a sewage disposal system or systems, either within or without or partly within and partly without the territorial boundaries of the city, and to construct other sewer improvements within the city; prescribing the powers and duties of the City Commission and of the Water and Sewer Board of said City in connection with such construction and the financing thereof; providing for the issuance of revenue bonds of the city, payable solely from revenues, to pay all or a part of the cost of such construction; providing that no debt of the city shall be incurred in the exercise of any of the powers granted by this Act; providing for the execution of a trust agreement to secure the payment of such revenue bonds without mortgaging or encumbering any such system; providing for the imposition and collection of rates, fees and charges for the services and facilities rendered by any such sewage disposal system, and for the application of such revenues; authorizing the pledge or surplus water revenues; authorizing the issuance of sewer revenue refunding bonds and of water and sewer revenue bonds; and exempting all such revenue bonds and also the waterworks system and the sewer system, including such sewage disposal systems, from taxation.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 357:

A bill to be entitled An Act authorizing the State and counties to sell or donate state-owned and county-owned typewriters under certain circumstances.

Senate Bill No. 105:

A bill to be entitled An Act designating and establishing a State road to extend from Harrisburg in Glades County, Florida, southwesterly to LaBelle, Florida.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 108

May 5, 1943

Honorable Philip D. Beall,
President of the Senate.

Honorable Richard H. Simpson,
Speaker of the House of Representatives.

Your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives with reference to House Bill No. 108, begs leave to submit the following report:

It is respectfully recommended:

First: That the Senate recede from its amendments 1 and 2 to the bill.

Second: That said bill be amended as follows:

1. In the preamble, 7th Whereas clause (typewritten bill), strike out the word "five thousand," and insert in lieu thereof the following: "five hundred."

2. In Section 1, line 8 (typewritten bill), strike out the figure "5000" and insert in lieu thereof the following: "500."

Respectfully submitted,

LEROY COLLINS,

K. GRINER,

WALTER W. ROSE,

Conferees on the part of
the Senate.

L. C. LEEDY,

B. C. PAPY,

JERRY COLLINS,

Conferees on the part of
the House of Representatives.

Senator Collins moved the adoption of the foregoing Conference Committee Report on House Bill No. 108.

Which was agreed to and the Conference Committee report was adopted.

Senator Collins moved that the Senate recede from Senate Amendment No. 1 to House Bill No. 108, pursuant to the Conference Committee report, which amendment reads as follows:

Amendment No. 1:

In the preamble, 7th Whereas clause, strike out the word "five" preceding the word "thousand," and insert in lieu thereof the following: "three."

Which was agreed to and the Senate receded from Senate Amendment No. 1 to House Bill No. 108.

Senator Collins moved that the Senate recede from Senate Amendment No. 2 to House Bill No. 108, which amendment reads as follows:

Amendment No. 2:

In Section 1, line 8 (typewritten bill), strike out the figure "5000.00" and insert in lieu thereof the following: "3000."

Which was agreed to and the Senate receded from Senate Amendment No. 2 to House Bill No. 108.

Senator Collins moved the adoption of the Conference Committee Amendment No. 1 to House Bill No. 108 as set forth in the foregoing Conference Committee report.

Which was agreed to and the Senate adopted Conference Committee Amendment No. 1 to House Bill No. 108.

Senator Collins moved the adoption of the Conference Committee Amendment No. 2 to House Bill No. 108, as set forth in the foregoing Conference Committee Report.

Which was agreed to and the Senate adopted Conference Committee Report No. 2 to House Bill No. 108.

The roll was called on the passage of House Bill No. 108, as amended:

A bill to be entitled An Act to provide for exemption of dealers in gasoline or other like products of petroleum from payment of excise taxes on gas or other like products of petroleum sold to the United States of America, its departments, agencies and instrumentalities, in bulk lots for exclusive use by the United States of America, its departments, agencies and instrumentalities; providing for promulgation of rules and regulations by the Comptroller for enforcement of the Act; and providing for the construction and effect of the Act in the event of its invalidity.

And the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So House Bill No. 108 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

INTRODUCTION OF RESOLUTIONS

By Senator Beacham—

Senate Resolution No. 6:

WHEREAS, it has been, and is now the custom of the Senate to cause to be made at its expense an oil painting of the President of the Senate to be permanently displayed in the Senate Chamber in the order of service; and

WHEREAS, a duplicate oil painting of the one displayed in the Senate Chamber would be a great pleasure and valued possession to the family and descendants of one so honored by his colleagues with the Presidency of this Body;

THEREFORE BE IT RESOLVED BY THE SENATE: That the President appoint a committee of three members of the Senate to make arrangements for the painting of a portrait of the President, in duplicate.

Which was read the first time in full.

The question was put on the adoption of the Resolution upon which a roll call was demanded.

Upon the adoption of the Resolution the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—32.

Nays—None.

So Senate Resolution No. 6 was adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Clarke—

Senate Bill No. 382:

A bill to be entitled An Act relating to statements of account rendered by banks or trust companies to depositors; prescribing that such statements shall be conclusively presumed correct unless written objection is made by the depositor within three years; defining the term rendered from which the three year period shall commence to run; authorizing banks and trust companies to destroy statements of account and debit vouchers of depositors who fail to demand them within three years.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Maines—
Senate Bill No. 383:

A bill to be entitled An Act for the relief of Carl Johns, of Starke, Bradford County, Florida, and providing for the payment of certain grocery accounts due him by certain employees of the State Road Department of Florida, from funds of said State Road Department.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By the Committee on Welfare—
Senate Bill No. 384:

A bill to be entitled An Act to provide for payment of accrued public assistance on death of person entitled thereto; imposing certain powers and duties upon State Welfare Board, County Judge, and State Comptroller, with reference thereto; and repealing all laws in conflict herewith.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading without reference.

By Senator Franklin—
Senate Bill No. 385:

A bill to be entitled An Act creating and establishing a Fire Control District on that part of Gasparilla Island that is located in Lee County, Florida, providing for the creation and appointment of a Fire Control Board, defining its duties, powers and authority, providing for the raising of funds within such district by taxation on all the property within such district, and the method of levying, collecting and disbursing such funds.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 385 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Davis—
Senate Bill No. 386:

A bill to be entitled An Act providing for the distribution and use of one-half of race track funds allocated to Madison County, Florida, under Chapter 14832, Laws of Florida, 1931, and Section 550.13, Florida Statutes, 1941, and Acts amendatory thereof and providing that said moneys shall be paid by the State Treasurer on separate warrants drawn by the Comptroller to County Board of Public Instruction of Madison County, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 386 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Davis moved that the rules be waived and Senate Bill No. 386 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 386 was read the second time by title only.

Senator Davis moved that the rules be further waived and Senate Bill No. 386 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 386 was read the third time in full.

Upon the passage of Senate Bill No. 386 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 386 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shuler—
Senate Bill No. 387:

A bill to be entitled An Act authorizing and empowering the Governor of the State of Florida to provide funds to the

several counties of Florida for governmental or educational purposes when he determines the same is necessary to prevent collapse of governmental or educational functions of such counties; providing for the payment of such funds and the method thereof; defining the duties of the Governor and the Comptroller of the State of Florida in disbursing said funds, and appropriating funds for such purposes.

Which was read the first time by title only and referred to the Committee on Education.

By Senator Baker—
Senate Bill No. 388:

A bill to be entitled An Act approving, confirming and validating all adjustments, compromises, discounts, reductions, abatements, waivers, releases, discharges or refunds of taxes and delinquent tax certificates on real and personal property, and assessments and improvement liens, including interest, costs and penalties thereon, levied and assessed upon property in the City of Eustis, Florida, heretofore effected, made and allowed by the City Council of the City of Eustis, Florida, and/or by the officers and governing authorities of said City, in the collection of said taxes, certificates, assessments and improvement liens, providing for the effective date of such law and for the repeal of all laws or parts of laws in conflict therewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 388 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Baker moved that the rules be waived and Senate Bill No. 388 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 388 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 388 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 388 was read the third time in full.

Upon the passage of Senate Bill No. 388 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 388 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baker—
Senate Bill No. 389:

A bill to be entitled An Act amending Section 9 of Article III of Chapter 6683, Laws of Florida, Special Acts of 1913, entitled: "An Act to abolish the present municipal government of the Town of Eustis, Lake County, Florida, and to organize a town government for the same and to provide its jurisdiction and powers; to erect the same into an independent Road District of Lake County," relating to the publication of ordinances either by publication in a newspaper or by posting, providing for the effective date of such law and for the repeal of all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 389 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Baker moved that the rules be waived and Senate Bill No. 389 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 389 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 389 be read the third time in full and

put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 389 was read the third time in full.

Upon the passage of Senate Bill No. 389 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 389 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baker—

Senate Bill No. 390:

A bill to be entitled An Act amending the first Section 4 of Article VIII of Chapter 6683, Laws of Florida, Special Acts of 1913, entitled "An Act to abolish the present municipal government of the Town of Eustis, Lake County, Florida, and organize a town government for the same and to provide its jurisdiction and powers; to erect the same into an independent Road District of Lake County," as amended, relating to the duties of the City Tax Assessor and providing for the form of notice to owners of property in case of a general or overall increase of assessments of property in said city; by eliminating the personal penalty on the Assessor, and repealing all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 390 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Baker moved that the rules be waived and Senate Bill No. 390 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 390 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 390 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 390 was read the third time in full.

Upon the passage of Senate Bill No. 390 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 390 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baker—

Senate Bill No. 391:

A bill to be entitled An Act amending Section 14 of Article IV of Chapter 6683, Laws of Florida, Special Acts of 1913, entitled "An Act to abolish the present municipal government of the Town of Eustis, Lake County, Florida, and to organize a town government for the same and to provide its jurisdiction and powers: To erect the same into an independent Road District of Lake County," relating to compensation of Members of the Town (now City) Council, and repealing all laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 391 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Baker moved that the rules be waived and Senate Bill No. 391 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 391 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 391 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 391 was read the third time in full.

Upon the passage of Senate Bill No. 391 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 391 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baker—

Senate Bill No. 392:

A bill to be entitled An Act amending Paragraph 3 of Section 8 of Article VIII of Chapter 6683, Laws of Florida, Special Acts of 1913, entitled "An Act to abolish the present municipal government of the Town of Eustis, Lake County, Florida, and to organize a town government for the same and to provide its jurisdiction and powers; to erect the same into an independent Road District of Lake County," as amended, relating to delinquent taxes and the publication of same either in a newspaper or by posting, providing for the effective date of such law and for the repeal of all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 392 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Baker moved that the rules be waived and Senate Bill No. 392 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 392 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 392 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 392 was read the third time in full.

Upon the passage of Senate Bill No. 392 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 392 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Maines—

Senate Bill No. 393:

A bill to be entitled An Act to authorize the Trustees of the Internal Improvement Fund to convey title to certain land in Union County, Florida, to C. H. Hunter, W. K. Jenkins and A. L. Crews, as Trustees of the Raiford Missionary Baptist Church.

Which was read the first time by title only.

Senator Maines moved that the rules be waived and Senate Bill No. 393 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 393 was read the second time by title only.

Senator Maines moved that the rules be further waived and Senate Bill No. 393 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 393 was read the third time in full.

Upon the passage of Senate Bill No. 393 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 393 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

Senate Bill No. 394:

A bill to be entitled An Act relating to those certain refunding bonds of Special Tax School District No. 1 of Palm Beach County, Florida, designated "Special Tax School District No. 1 Refunding Bonds, Series of 1941," dated July 1, 1941, of the denomination of one thousand dollars (\$1000) each, bearing interest at the rate of four per cent (4%) per annum, payable semi-annually, on the 1st day of July and January of each year, numbered from 1 to 698, both inclusive, of the aggregate principal sum of six hundred ninety-eight thousand dollars (\$698,000), authorized to be issued by the Board of Public Instruction of Palm Beach County, Florida, by resolution adopted by said Board on December 19, 1940, and validated and confirmed by decree of the Circuit Court entered on the 20th day of January, A. D. 1941, in that certain cause then pending in the Circuit Court of the Fifteenth Judicial Circuit of Florida, in and for Palm Beach County, in Chancery No. 16230, wherein the Board of Public Instruction of Palm Beach County, Florida and Special Tax School District No. 1 of Palm Beach County, Florida, are named as petitioners and the State of Florida is named as respondent; validating and confirming said refunding bonds and authorizing said Board of Public Instruction to either sell or exchange at its discretion said refunding bonds in blocks or portions from time to time; declaring that said refunding bonds are not controlled or affected by, and may be disposed of from time to time without regard to, the provisions of Chapter 20970, Laws of Florida, Acts of 1941, being An Act entitled: "An Act to amend Chapter 19355, Laws of Florida, Acts of 1939, entitled: 'An Act relating to public education, providing for the organization, establishment, operation, maintenance and support of the State system of public education, and prescribing penalties for violating any provision of the Act, and any rule and regulation made pursuant to the Act,' by amending Sections 207, 431, 439, 535, 536, 539, 613, 1003, 1005, 1012, 1081, 1084, 1085, and 1089 and by adding a Section to be numbered 1086.1 relating to the refunding of school indebtedness, and repealing Section 210 of Chapter 19355, Laws of Florida, Acts of 1939, and to repeal all laws in conflict with this Act."

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 394 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beacham moved that the rules be waived and Senate Bill No. 394 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 394 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 394 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 394 was read the third time in full.

Upon the passage of Senate Bill No. 394 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 394 passed, title as stated, and the ac-

tion of the Senate was ordered certified to the House of Representatives.

By Senator Coleman—

Senate Bill No. 395:

A bill to be entitled An Act to abolish the present municipality of the City of New Smyrna Beach, in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the City of New Smyrna Beach, in Volusia County, Florida; to define its territorial boundaries, and to provide for its government, jurisdiction, powers, franchises and privileges; and to designate the first Members of the City Commission to serve until the next general municipal election.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 395 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Coleman moved that the rules be waived and Senate Bill No. 395 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 395 was read the second time by title only.

Senator Coleman moved that the rules be further waived and Senate Bill No. 395 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 395 was read the third time in full.

Upon the passage of Senate Bill No. 395 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 395 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

Senate Bill No. 396:

A bill to be entitled An Act giving and granting to the Comptroller of the State of Florida full and complete authority over all county and city budgets; to make and adopt rules and regulations for assessment of ad valorem taxes which shall be binding on all County and City Tax Assessors; to require that all county and city budgets and all county and city tax assessment rolls shall be submitted to the Comptroller of the State of Florida and shall not become effective until finally approved by him; to give and grant to the Comptroller the right, power, and authority to alter, amend and change county and city tax assessment rolls and budgets as he may deem proper. The purpose of this bill is to centralize all power and authority with reference to county and city budgets and tax assessment rolls in the Comptroller of the State of Florida and to give him unlimited and arbitrary power and authority over these matters to the same extent that Stalin or Hitler would have if they were personally present in Florida, exercising the powers which they have abrogated unto themselves, anything in the Constitution of the State of Florida to the contrary notwithstanding. It is further the purpose and intent of this Act to destroy the last vestige of local self government and centralize all power and authority with reference to matters herein mentioned in the State official in Tallahassee far removed from the people.

Which was read the first time by title only and referred to a Special Committee composed of Senators Griner, Taylor and Sturgis

By Senator Sheldon—

Senate Bill No. 397:

A bill to be entitled An Act to revoke the authority of the Constable of the Third Justice District of Hillsborough County, Florida, to appoint Deputy Constables as authorized by Chapter 15239, Laws of Florida, 1931, and Chapter 21295, Laws of Florida, 1941.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 397 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Sheldon moved that the rules be waived and Senate Bill No. 397 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 397 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 397 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 397 was read the third time in full.

Upon the passage of Senate Bill No. 397 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 397 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Adams—

Senate Bill No. 398:

A bill to be entitled An Act authorizing and permitting the use of automatic fire extinguishers in all public buildings, and buildings under jurisdiction of any board or commission created by the Legislature of the State of Florida, in the same manner as fire extinguishers approved by the National Board of Fire Underwriters.

Which was read the first time by title only and referred to the Committee on County Organizations.

By Senator Sheldon—

Senate Bill No. 399:

A bill to be entitled An Act requiring the Clerks of the Circuit Court of the State of Florida to require as a condition precedent to the advertisement of any real estate for tax deeds, the applicants therefor to file with the Clerk an affidavit that the owner of the property is not engaged in the military service of the United States or a dependent of a person in the military service of the United States; and further providing if the owner of such property is in the military service of the United States or a dependent of a person in the military service of the United States, it shall be the duty of the Clerk of such Court to refuse to accept any such application of tax deed as to such property; providing penalties for applicants making false affidavits.

Which was read the first time by title only and referred to the Committee on County Organizations.

By Senator Sheldon—

Senate Bill No. 400:

A bill to be entitled An Act to amend Section 733.20, Sub-Section Four, Florida Statutes, 1941, known as "Class Four," so as to authorize the family allowance therein provided for undiminished by the fact that the widow has been allowed or is entitled to dower out of her husband's estate. And to provide for the granting of family allowance in cases where at the time of the death of the husband he was domiciled in some other state or foreign country, and his wife was residing or domiciled in Florida at the time of his death, where the husband left real or personal property in the State of Florida, and whether the said husband died testate or intestate, provided no separation agreement or settlement had been made by said husband with his wife, which amply provided for her maintenance and support.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Sheldon—

Senate Bill No. 401:

A bill to be entitled An Act to amend Chapter 17363, Laws of Florida, Acts of 1935 Legislature entitled: "An Act to amend Section 3 of Chapter 10118, Acts of 1925, being, 'An

Act granting, confirming and vesting, and regulating the exercise of, the right of eminent domain in the condemnation of lands and property for State Road purposes; confirming, vesting in and granting unto the State Road Department the power of eminent domain to condemn all necessary lands and property for securing rights of way for State Roads and Bridges in connection therewith and for acquiring any material and property necessary and useful for State Road building purposes; declaring the State Road Department to be a body corporate, for the purposes of this Act; granting unto the several counties of this State power and authority to furnish to the State Road Department lands necessary for rights of way for State Road purposes, and the power of eminent domain to condemn said lands; regulating, defining and setting out the procedure to be followed in condemning lands and other property for State Road purposes; and granting authority to proceed with State Road or Bridge construction pending condemnation under certain circumstances," being Section 341.22 of Florida Statutes, 1941, by vesting the right of eminent domain in the several counties of Florida to condemn lands for borrow pits, drainage ditches, and any other material and property necessary and useful for road building purposes or incident and necessary for road rights of way.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Graham—

Senate Bill No. 402:

A bill to be entitled An Act amending Chapter 28.06 of the Florida Statutes, 1941, empowering the Clerk of the Circuit Court to appoint a deputy or deputies, fixing the Clerk's liability for acts of his deputies, and fixing powers of said deputies.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senators Graham, Shands, Hinely, Barringer, Franklin, Carroll, Beacham and Griner—

Senate Bill No. 403:

A bill to be entitled An Act declaring an emergency to exist in the State of Florida as to the transportation of gasoline, fuel oil and other petroleum products; authorizing and empowering the State Road Department of the State of Florida to engage in the transportation for hire of gasoline, fuel oil or like products of petroleum within the State and from points without the State to points in the State and to purchase or lease necessary equipment and lease, purchase or install pipe lines for such purposes out of first gasoline tax funds, with the power of eminent domain, and providing for the disposition of receipts therefrom.

Which was read the first time by title only and referred to the Committee on Public Utilities.

By Senator Graham—

Senate Bill No. 404:

A bill to be entitled An Act dispensing with oaths on tax returns and applications for tax exemptions, licenses and permits, and declaring that any untrue statement made in connection therewith shall be a misdemeanor, and providing for penalty therefor.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Graham—

Senate Bill No. 405:

A bill to be entitled An Act providing for appointment of Vice Chairmen of Boards of County Commissioners and fixing their terms of office and their powers.

Which was read the first time by title only and referred to the Committee on County Organizations.

By Senator McArthur—

Senate Bill No. 406:

A bill to be entitled An Act declaring that certain designated State Road comprising Hecksher drive in Duval County and extending therefrom into Nassau County northward to connect the City of Fernandina shall hereafter

be a part of State Road 140; and providing that that part of said road, in Nassau County shall be a part of the third preferential system of State Roads in this State, and granting certain powers to the State Road Department in connection therewith.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Mathews—

Senate Bill No. 407:

A bill to be entitled An Act dispensing with payment of court costs and process service fees in all counties whose population is not less than 180,000, according to the last Federal census, in actions at law or in equity and proceedings in the Supreme Court, upon filing of an affidavit of indigency and certificate of member of the bar of said county: Providing for the reimbursement from county fund of officers incurring personal expense in complying with the terms hereof.

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 407 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 407 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 407 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 407 was read the third time in full.

Upon the passage of Senate Bill No. 407 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 407 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Maddox—

Senate Bill No. 408:

A bill to be entitled An Act relating to the manner of determining the full cash value of goods, wares and merchandise for purposes of taxation thereof; and to define what is meant by full cash value when used in such connection.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Franklin—

Senate Bill No. 409:

A bill to be entitled An Act providing the time within which warrants drawn on the State Treasurer as ex-Officio Treasurer of the State Teachers Salary Fund may be paid, when the same become void, for notice thereof, and replacement of void or lost warrants by new warrants.

Which was read the first time by title only.

Senator Franklin moved that the rules be waived and Senate Bill No. 409 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 409 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 409 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 409 was read the third time in full.

Upon the passage of Senate Bill No. 409 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 409 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson—

Senate Bill No. 410:

A bill to be entitled An Act amending Section 70 of Chapter 15103, Acts of the Legislature of 1931, the same being Charter of the City of Brooksville, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 410 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johnson moved that the rules be waived and Senate Bill No. 410 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 410 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 410 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 410 was read the third time in full.

Upon the passage of Senate Bill No. 410 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 410 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Clarke—

Senate Bill No. 411:

A bill to be entitled An Act to amend Paragraph or Section 653.03 of Florida Statutes of 1941 in reference to limit of indebtedness that may be incurred by any bank or banking company incorporated under the Laws of the State of Florida so as to authorize such bank or banking company to borrow money in excess of its capital stock provided that such excess borrowed shall be secured by government bonds.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 7, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendment:

By Senator Sheldon—

Senate Bill No. 7:

A bill to be entitled An Act relating to public education to prohibit the establishment or organization of fraternities, sororities or other secret organizations whose membership consists in whole or in part of pupils enrolled in public schools of the State of Florida; to prohibit pupils enrolled in the public schools of the State of Florida from belonging to fraternities, sororities or other secret organizations; to authorize County Boards of Public Instruction to prescribe any necessary regulations and to enforce the provisions of this Act; and to repeal all laws in conflict with this Act.

Which amendment reads as follows:

Strike out Section 3, and insert the following in lieu thereof: Section 3. County Boards may prescribe regulations. The County Board of Public Instruction of each county shall have full power and authority to enforce the provisions for carrying

out the provisions of this Act and to prescribe and enforce such rules and regulations as are necessary for carrying out the provisions of this Act. County Boards are hereby required to enforce the provisions of this Act by suspending or, if necessary, expelling any pupil in any elementary or secondary school who refuses or neglects to observe these provisions.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bill No. 7, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Sheldon moved that the Senate do concur in the House Amendment to Senate Bill No. 7.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 7.

And Senate Bill No. 7, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 7, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senator Mathews—
Senate Bill No. 236:

A bill to be entitled An Act to amend Section 265.02, Florida Statutes, 1941, relating to appropriation for maintaining Olustee monument and grounds.

By the Committee on Insurance—
Senate Bill No. 11:

A bill to be entitled An Act requiring that when, by the laws of any other State, any tax, fine, penalty, license fee, deposit of money, or of security or other obligation or prohibition, is imposed upon resident insurance agents of Florida, doing business in such other State, then, so long as such laws continue in force, the same requirements, obligations and prohibitions, of whatever kind, shall be imposed upon every insurance agent of such other State doing business in Florida, and providing for the administration and enforcement of this Act and penalties for violation hereof.

By Senator Franklin—
Senate Bill No. 177:

A bill to be entitled An Act amending Section 117.01, Florida Statutes, 1941, relating to Notaries Public, providing for their appointments, terms of office, powers, bond and oath.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bills Nos. 236, 11 and 177, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 7, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senator Beall—
Senate Bill No. 32:

A bill to be entitled An Act providing for the interchange of judges between the Court of Record in and for Escambia County and the Circuit Court of said County.

By Senator Sheldon—

Senate Bill No. 62:

A bill to be entitled An Act authorizing and empowering the Attorney General of the State of Florida to devise a suitable seal for the Supervisor of Registration in each county of the State of Florida, and to deposit in the office of the Secretary of State of Florida an impression and description thereof certified by the Attorney General, to provide for the cost and expense thereof, and providing for seal to be affixed to all official documents and certificates executed by the Supervisor of Registration.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bills Nos. 32 and 62, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 7, 1943.

Hon. Philip D. Beall,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendment:

By Senator Lewis—
Senate Bill No. 54:

A bill to be entitled An Act to amend Sections 5, 6, 12, 17, and 24 of Chapter 20519, Laws of Florida, Acts of 1941, being "An Act providing for and adopting a State administered probation and parole system for the State of Florida; creating and establishing a Parole Commission and conferring and defining its duties, powers, and functions, including the powers to make rules and regulations and the supervision of persons placed upon probation; providing for the method of appointment and removal of the members of the Parole Commission, its clerks and employees, regulating their compensation, and prohibiting their engaging in certain activities; providing for the purchase of supplies and materials and for the allowance of necessary traveling and other expenses; providing for the placing on parole of persons in certain cases, their discharge from parole, their rearrest with and without a warrant for violation of the terms and conditions of parole; providing for hearings on charges of violation of the terms and conditions of parole, and reimprisonment because of such violation; providing for the recommendation by the Parole Commission to the Board of Pardons for the extension of clemency to deserving persons; authorizing financial aid to indigent parolees at the time of their release; providing for the cooperation of certain public officers and agencies with the Parole Commission; authorizing and regulating the use by the courts of probation and suspension of imposition of sentence; permitting appeal from judgment adjudging guilt; excepting certain courts and correctional institutions from the operation of this Act, and authorizing the preservation of probation officers now serving under any previous law; and making an appropriation for carrying into effect the provisions of this Act; fixing an effective date thereof and repealing all laws and parts of laws in conflict herewith."

Which amendment reads as follows:

In Section 12, line 3, of the bill, after the word felony insert the following: or one who has been convicted of one or more misdemeanors and whose sentence or cumulative sentences total twelve months or more.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bill No. 54, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Lewis moved that the Senate do concur in the House Amendment to Senate Bill No. 54.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 54.

And Senate Bill No. 54, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senator Clarke—
Senate Bill No. 16:

A bill to be entitled An Act to amend Section 653.18 Florida Statutes, 1941, as amended by Section 1, Chapter 20939, Acts of 1941, relating to a limitation on loans to officers, directors, employees and others, made by State banks and trust companies.

By Senator Clarke—
Senate Bill No. 18:

A bill to be entitled An Act to provide for the recovery by garnishees of costs and expenses, including attorneys' fees, in all actions wherein writs of garnishment are issued.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bills Nos. 16 and 18, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendment:

By Senator Clarke—
Senate Bill No. 19:

A bill to be entitled An Act to legalize the payment, certification or acceptance after banking hours or on any legal holiday of checks or other negotiable instruments by banks or trust companies in this State.

Which amendment reads as follows:

Strike out Section 1, and insert the following in lieu thereof: "Section 1. Nothing in any law of this State shall in any manner whatsoever affect the validity of, or render void or voidable, the acceptance of deposits, the payment, certification, or acceptance of a check or other negotiable instrument or any other transaction by a bank or trust company in this State, because done or performed on a holiday or on a business day at any time other than regular banking hours; provided (further) that nothing herein shall be construed to compel any bank or trust company in this State, which by law or custom is entitled to close at twelve o'clock noon on any day, or for the whole or any part of any legal holiday, to keep open for the transaction of business, or to perform any of the acts or transactions aforesaid, on any day after such hour, or on any legal holiday, except at its own option."

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bill No. 19, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Clarke moved that the Senate do concur in the House Amendment to Senate Bill No. 19.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 19.

And Senate Bill No. 19, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to:

House Bill No. 222:

A bill to be entitled An Act relating to the adoption of children and to the rights, duties and obligations of the State Welfare Board and licensed child placing agencies with respect thereto: prescribing the procedure in adoption cases; providing for the issuance and service of notices therein or consent thereto; requiring copies of adoption decrees to be recorded with the Registrar of Vital Statistics of the State Board of Health; and repealing existing adoption laws and all other laws in conflict with this Act, including Sections 72.01 to 72.06, inclusive, Florida Statutes 1941.

Which amendments read as follows:

Amendment No. 1:

By inserting after Section 3 a new section to be numbered Section 4, reading as follows:

"Section 4. Proof of permanent commitment to licensed child placing agency and proof of license.—The recital in the written consent given by a licensed child placing agency as hereinafter provided, or the declaration in an answer or recommendation filed by a licensed child placing agency, that the child sought to be adopted has been permanently committed to such child placing agency and that such child placing agency is duly licensed, shall be prima facie proof of such commitment and of such license."

And by increasing by one the numbers of all other succeeding sections.

Amendment No. 2:

In Section 7, lines 9 and 10 (typewritten bill), strike out the words: "the names and addresses of the parents of such child are not known and it has no legal guardian," and insert in lieu thereof the following: "such child has previously been permanently committed to a licensed child placing agency; then in such event."

Amendment No. 3:

In Section 8, lines 12 and 13 (typewritten bill), strike out the words: "contain a full and complete" and insert in lieu thereof the following: "not contain any."

Amendment No. 4:

In Section 10, lines 3 and 4 (typewritten bill), strike out the words: "or any party to said cause."

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to:

House Bill No. 138:

A bill to be entitled An Act amending Section 257.05 of Florida Statutes, 1941, relative to copies of reports of State Departments or other publications of the State furnished State Library Board.

Which amendments read as follows:

Amendment No. 1:

In Section 1, lines 8 and 9 (typewritten bill), strike out the words: "twenty-five" and insert in lieu thereof the following: "five."

Amendment No. 2:

In Section 1, line 17 (typewritten bill) strike out the words: "twenty-five" and insert in lieu the following: "five."

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 7, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted:

By Messrs. Byrd of Duval and Hancock of Madison—
House Concurrent Resolution No. 13:

A RESOLUTION TO INVITE THE HONORABLE ELLIS ARNALL, GOVERNOR OF THE STATE OF GEORGIA, TO ADDRESS A JOINT SESSION OF THE FLORIDA LEGISLATURE.

WHEREAS, a Committee on Reciprocal Trade Agreement visited the State of Georgia and the Georgia Assembly, and was most graciously received by that Body, and the Governor of Georgia, Ellis Arnall, prior to the convening of this session of the Florida Legislature; and

WHEREAS, there is mutual interest and matters of concern between the two states; and

WHEREAS, the Governor of Georgia is a man of keen judgment and intellect and an outstanding orator, a man of the people and a man who has nobly led the people of Georgia; and

WHEREAS, Governor Arnall was approached by the delegation of Florida relative to speaking before a joint session of this Body, and that he indicated a willingness to accept at such time as he is invited:

THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that His Excellency, the Honorable Ellis Arnall, Governor of the State of Georgia, be and is hereby invited to address a joint session of the Florida Legislature at such time as may be convenient to Governor Arnall.

That a Committee from the House and from the Senate be named to make arrangements with Governor Arnall to carry out the provisions of this Resolution, and that a copy of this Resolution be given to Governor Arnall.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 13, contained in the above Message, was read the first time in full.

Senator Davis moved that the rules be waived and House Concurrent Resolution No. 13 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 13 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and House Concurrent Resolution No. 13 was adopted and the action of the Senate was ordered certified to the House of Representatives.

The President appointed Senators Collins, Clarke and Maines as the Committee on the part of the Senate pursuant to House Concurrent Resolution No. 13.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 7, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Hancock of Madison—
House Memorial No. 13:

A Memorial to the President of the United States of America, petitioning the President to place the United States Employment Service offices in the State of Florida under the jurisdiction of the Florida Industrial Commission.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Memorial No. 13, contained in the above Message, was read the first time in full and referred to the Committee on Welfare.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Jenkins of Alachua and Dowda of Putnam—
House Bill No. 280:

A bill to be entitled An Act to amend Section 653.17, Florida Statutes, 1941, relating to deposits made by trustees and providing for payments in the event of death of the person described as trustee to the person for whom the deposit was made.

By Messrs. Leaird and Burwell of Broward—
House Bill No. 303:

A bill to be entitled An Act to amend Section 18-A of Chapter 18285, Laws of Florida, Acts of 1937, as amended by Section 1 of Chapter 20714, Laws of Florida, Acts of 1941, he same being Section 409.26, Florida Statutes, 1941, creating the Florida Council for the Blind, and repealing all Laws in conflict herewith.

By Messrs. West of Santa Rosa, Brackin of Okaloosa, Shivers of Washington and Dunham of DeSoto—

House Bill No. 67:

A bill to be entitled An Act to amend the provisions of Section 381.65, Florida Statutes, 1941, relating to an appropriation for the purchase and distribution of insulin, by providing an annual appropriation of twenty thousand dollars for such purposes.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 280, contained in the above Message, was read the first time by title only and referred to the Committee on Banking and Building and Loans.

And House Bill No. 303, contained in the above Message, was read the first time by title only.

Senator Collins moved that the rules be waived and House Bill No. 303 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 303 was read the second time by title only.

Senator Collins moved that the rules be further waived and House Bill No. 303 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 303 was read the third time in full. Upon the passage of House Bill No. 303 the roll was called and the vote was:

Yeas—Mr. President: Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So House Bill No. 303 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 67, contained in the above Message,

was read the first time by title only and referred to the Committee on Public Health.

Senator Collins moved that Senate Bill No. 253 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Inman of Bradford—
House Bill No. 220:

A bill to be entitled An Act to set aside in the State Treasury all funds which are derived from the sale of wood, lumber and similar home grown materials by the Florida State Prison; to establish a fund in the State Treasury to be known as the State Prison Improvement Fund; and to make an annual appropriation therefrom to provide for extensions and improvements of the State Prison System; and repealing all laws in conflict therewith.

By Mr. Carlton of Duval—
House Bill No. 289:

A bill to be entitled An Act to prohibit the dumping of garbage, refuse or rubbish of any kind whatsoever on or upon any public park or upon private property without the consent of the owner thereof and providing for the punishment therefor.

By Mr. Shivers of Washington—
House Bill No. 262:

A bill to be entitled An Act to dispense with the requirement that bonds of county officers be approved by the Board of County Commissioners of the several counties of the State of Florida and provide method of approval.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bill No. 220, contained in the above Message, was read the first time by title only.

Senator Maines moved that the rules be waived and House Bill No. 220 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 220 was read the second time by title only.

Senator Maines moved that the rules be further waived and House Bill No. 220 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 220 was read the third time in full.

Upon the passage of House Bill No. 220 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So House Bill No. 220 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 289, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B."

And House Bill No. 262, contained in the above Message, was read the first time by title only and referred to the Committee on County Organizations.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Hodges of Columbia—
House Bill No. 210:

A bill to be entitled An Act to amend Section 291.32, Florida Statutes, 1941, relating to designation of beneficiaries to receive pension money due deceased Confederate pensioners.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bill No. 210, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B."

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1943 Session of the Florida Legislature:

By Mr. Stewart of Hendry—
House Bill No. 175:

A bill to be entitled An Act for the relief of G. L. Cantrell, and his wife, Mrs. G. L. Cantrell, and providing appropriation to compensate them for damage to property and injury to health by reason of the explosion of a certain section of public highway in DeSoto County, Florida.

Also has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1943 Session of the Florida Legislature:

By Messrs. Hendry of Okeechobee and Peeples of Glades—
House Bill No. 213:

A bill to be entitled An Act for the relief of E. L. Brannon, M. A. Summers, E. R. Wright and D. G. McCormick for salaries as fire wardens of the Everglades Fire Control District, which were withheld and unpaid, and appropriating sufficient moneys from the Everglades Fire Control District Fund to pay same and directing the payment thereof by the State Comptroller and State Treasurer.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bills Nos. 175 and 213, contained in the above Message, were read the first time by titles only and referred to the Committee on Pensions and Claims.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives refuses to concur in Senate Amendment to:

House Bill No. 308:

A bill to be entitled An Act to amend Section 381.01, Florida Statutes, 1941, relating to appointment of members of State

Board of Health, by prescribing the number, qualifications and residence of such members.

Which amendment reads as follows:

Strike out Section 1 and insert in lieu thereof the following:
Section 1. That Section 381.01 of Florida Statutes, 1941, be and the same is hereby amended to read as follows:

"381.01. Governor to appoint Board of Health.—The Governor shall appoint as members of the State Board of Health seven discreet citizens of the State of Florida, one from each of the five areas designated as United States Congressional Districts by the Legislature of the State of Florida in 1935, two from the State at large, who shall be confirmed by the Senate, and who, after taking and subscribing an oath, before some person competent to administer oaths, faithfully to perform the duties of their offices, shall constitute the State Board of Health."

And respectfully requests the Senate to recede therefrom.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

Senator Beacham moved that the Senate refuse to recede from the Senate Amendment to House Bill No. 308.

Which was agreed to and the Senate refused to recede from the Senate Amendment to House Bill No. 308.

Senator Beacham moved that the President of the Senate appoint a Conference Committee on the part of the Senate and the Speaker of the House of Representatives be requested to appoint a like Committee on the part of the House of Representatives to confer with said Committee on the part of the Senate to adjust the differences between the two Houses on the Senate Amendment to House Bill No. 308.

Which was agreed to.

And the President appointed Senators Beacham, Sturgis and Baker as the Committee on the part of the Senate, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Sanchez of Suwannee and Johnson of Lake—
House Bill No. 411:

A bill to be entitled An Act giving consent by the State of Florida to be sued and made a party defendant in suits in equity brought by any city, village or town of this State to enforce and satisfy its tax or assessment liens on property located therein, the title to which vested in and is held by the State of Florida under Chapter 18296, Laws of Florida, Acts of 1937; providing that the former owner of said property, or anyone claiming by, through or under him, or anyone claiming lien thereon, may be made parties to such suit for the purpose of barring the assertion of any rights or claims therein: Providing that taxing districts may be made parties to such suit: Establishing and providing the manner and method of adjudicating and discharging the interest of the State of Florida and the tax and assessment liens of the city, village or town, and taxing districts, in and on said property in said proceedings: Providing for the sale of said property and for the distribution of the proceeds thereof, after payment of certain costs and attorneys fees: Providing that such suits shall be cognizable only in the courts of the State of Florida, and for the venue of such suits and the service of process therein: And providing that the Attorney General of the State of Florida shall represent the State in such suits.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 411, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House

Bill No. 411 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendment:

By the Committee on Public Health—

Senate Bill No. 366:

A bill to be entitled An Act defining trade or occupation of opticians; providing for a license tax on persons, firms or corporations engaged in such trade or occupation; providing that persons, firms or corporations engaged in such trade or occupation shall not be subject to the jurisdiction of any board, agency or commission regulating any other trade, occupation or profession; repealing all laws or parts of laws in conflict herewith and providing for the effective date of this Act.

Which amendment reads as follows:

In Section 2, at the end of the Section add the words: "Said \$10.00 license tax shall be for State license; county and municipal taxes shall be in a sum required by law, not to exceed \$5.00 each per year."

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bill No. 366, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Sheldon moved that the Senate do concur in the House Amendment to Senate Bill No. 366.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 366.

And Senate Bill No. 366, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

UNFINISHED BUSINESS

House Bill No. 411

A bill to be entitled An Act prohibiting and making unlawful the practice of law in the State of Florida by anyone except licensed, practicing attorneys; defining the practice of law for the purpose of this Act; providing for the issuance of injunctions to restrain violations of the provisions thereof; providing that any violation of the provisions of this Act shall be a misdemeanor and punishment therefor; and repealing all laws in conflict therewith.

Was taken up in its order, together with the following amendment, offered by the Committee on Judiciary "A":

Strike out everything after the enacting clause and insert the following:

Section 1 The practice of law within the State of Florida is hereby defined as being any service, involving legal knowledge, whether of representation, counsel or advocacy, in or out of Court, rendered in respect of the rights, duties, obligations, liabilities, or business relations of the one accepting the service irrespective of whether such service is rendered for compensation or gratuitously, and shall include the following:

The furnishing or giving of opinions to another as to the status of title to real or personal property; the drawing, preparing or advising in relation to the preparation of deeds, mortgages, releases, affidavits, contracts or other documents wherein any legal rights are conveyed or released by one to another or wherein any such rights are reserved; counseling or advising clients or prospective clients on legal duties, rights or privileges or matters or procedure as to any litigation or proposed litigation; the preparation of any pleadings to be filed in any Court or before any board, commission or bureau within the State of Florida or appearing before any such Court, board, commission or bureau on behalf of any party to a controversy pending before such tribunal; and any other

act which the Courts of Record of this State may declare to constitute the practice of law; provided, however, that said definition shall not be construed to include:

- (a) Any act done by any person for and on his own behalf;
- (b) Any service before any Court, board, commission or bureau when such service does not embrace the preparation of pleadings, or the interpretation of law, or the application of law to facts;
- (c) The sale, writing or issuance of insurance policies;
- (d) The investigation, adjustment and settlement of claims against any person, firm or corporation, by his, her, or its employee thereunto duly authorized, when done at any time prior to the actual institution of suit thereon;
- (e) The preparing of abstracts of title, certifying, guaranteeing, or insuring titles to property, real or personal, or an interest therein, or a lien or encumbrance thereon;
- (f) Any service performed before any Federal tribunal by any person authorized by such tribunal to practice before it.

Section 2. No person other than one who has been or may hereafter be duly licensed and admitted to practice law in the State of Florida in accordance with the provisions of law shall do or perform any of the services defined as the practice of law in Section 1 of this Act.

Section 3. The doing or performing by any person other than one who is duly licensed and admitted to practice law in the State of Florida, of any one of the Acts by Section 1 hereof defined as constituting the practice of law, shall constitute a separate offense; and each and every person not so licensed and admitted to practice law in this State who does or performs any one or more of the Acts so defined as the practice of law in the name of or on behalf of any person, firm, association or corporation, shall be guilty of a misdemeanor, and shall on conviction thereof be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail of not more than twelve months, or by both such fine and imprisonment.

Section 4. The Circuit Court shall issue injunctions restraining violations of the provisions of this Act. Such injunction suit may be brought by and in the name of any licensed practicing attorney at law of the State of Florida, or the State Bar Association, or any local Bar Association within the State of Florida. No injunction bond shall be required in any such suit. The order, decree or judgment of the Circuit Court in such injunction suit shall not be stayed or superseded except that upon appeal the Supreme Court of Florida may, within its discretion, enter an order of supersedeas and fix the amount and terms of a supersedeas bond, only after a hearing upon notice to the adverse party.

Section 5. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed, except Section 39.03 of the Florida Statutes, 1941, relating to the practice of law in this State by out of state attorneys at law which shall remain in full force and effect.

Section 6. If any paragraph, sentence, clause, section or sub-section of this Act is declared invalid or unconstitutional, it shall not affect any other part hereof.

Section 7. This Act shall take effect upon becoming a law.

And the following amendment offered by Senator Rose to the foregoing amendment offered by the Committee on Judiciary "A" to House Bill No. 117:

In Section 1, line 33 (typewritten amendment), strike out after the word thereon the semi-colon and add a comma in lieu of said semi-colon and insert the following: Provided further that any person, firm or corporation duly licensed as a real agent or broker in this State shall not be barred from preparing any contract, or agreement relating to the sale of land duly listed for sale with said real estate agent or broker.

Which was pending adoption at the hour of adjournment on Friday, May 7, 1943.

The question was put on the adoption of the amendment offered by Senator Rose to the amendment offered by the Committee on Judiciary "A" to House Bill No. 117.

Upon which a roll call was demanded.

Upon call of the roll on the adoption of the amendment offered by Senator Rose to the amendment offered by the Committee on Judiciary "A" to House Bill No. 117, the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Carroll, Clarke, Cliett, Coleman, Davis, Graham, Griner, Hinely, King, Lindler, Maddox, Maines, McKenzie, Perdue, Rose, Shands, Sheldon, Taylor, Wilson—21.

Nays—Senators Adams, Barringer, Beacham, Brewton, Collins, Franklin, Housholder, Johnson, Lewis, Mathews, McArthur, Shuler, Sturgis, Upchurch—14.

Which was agreed to and the amendment offered by Senator Rose to the amendment offered by the Committee on Judiciary "A" was adopted.

Senator Maines offered the following amendment to the amendment offered by the Committee on Judiciary "A" to House Bill No. 117:

In Section 1, line 22, (typewritten Amendment) strike out all of line 22 and insert in lieu thereof the following: (a) Any act done by any person, firm or corporation, for and on his, their, or its behalf;

Senator Maines moved the adoption of the amendment to the amendment.

Which was agreed to and the amendment to the amendment was adopted.

Senator Sheldon offered the following amendment to the amendment offered by the Committee on Judiciary "A" to House Bill No. 117:

In Section 1, (typewritten Amendment) after the last sentence of said Section one add the following: "This Act shall not affect bona fide wholesale or retail merchant's associations now established which secure and disseminate credit information for the benefit of its members, and which assists its members or other creditors associated therewith directly or indirectly, in collecting, liquidating or adjusting defaulted or controverted claims."

Senator Sheldon moved the adoption of the amendment to the amendment.

Which was agreed to and the amendment to the amendment was adopted.

Senator Sheldon also offered the following amendment to the amendment offered by the Committee on Judiciary "A" to House Bill No. 117:

In Section 3, line 6, after the word "thereon" strike the period (.) and add a semi-colon (;) and insert the following in lieu thereof: Nor the practice of their profession by Traffic Bureaus, Traffic Associations and Traffic Managers of Chambers of Commerce.

Senator Sheldon moved the adoption of the amendment to the amendment.

Which was agreed to and the amendment to the amendment was adopted.

The question recurred on the adoption of the amendment offered by the Committee on Judiciary "A," as amended, to House Bill No. 117.

Which was agreed to and the amendment, as amended, was adopted.

Upon the passage of House Bill No. 117, as amended, the roll was called and the vote was:

Yeas—None.

Nays—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

So House Bill No. 117, as amended, failed to pass.

Senator Baker moved that Senate Bill No. 175 be withdrawn from the Committee on Appropriations and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

SENATE BILLS ON THIRD READING

Senate Bill No. 265:

A bill to be entitled An Act to amend Section 440.12, Florida Statutes, 1941, and Section 440.12 Florida Statutes, 1941, as amended by Section 2, Chapter 20672, Acts of 1941, relating to the Workmen's Compensation Law; by providing for an increase in the employer's liability for the weekly payments of compensation to injured employees and authorizing the Industrial Commission within a certain time to order the employer and/or insurance carrier to furnish medical treatment to injured employees in excess of one thousand dollars

if the nature of the injury or the process of recovery requires such action.

Was taken up in its order and read the third time in full.

Upon the passage of Senate Bill No. 265 the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Brewton, Clarke, Cliett, Coleman, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch—31.

Nays—Senators Adams, Coleman, Wilson—3.

So Senate Bill No. 265 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator King moved that House Bill No. 362 be withdrawn from the Committee on Cities and Towns and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator King moved that the rules be waived and the Senate take up and consider House Bill No. 362, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 362:

A bill to be entitled An Act to amend Sections 12, 161 as amended by Section 4 of Chapter 19929 Laws of Florida 1939, and 163 as amended by Section 8 of Chapter 14176 Session Laws of 1929, of Chapter 10754 Laws of Florida as passed in the 1925 regular session of Florida Legislature as approved June 8, 1925, same being "An Act to abolish the present municipality of the City of Lakeland, Polk County, Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Lakeland, Polk County, Florida, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges and to authorize the said City of Lakeland, Polk County, Florida, to enforce ordinances of said city," said amendments providing that the City Commission of such City of Lakeland shall consist of five electors of the city elected at large, providing for the election of three members to such City Commission of the City of Lakeland at an election for city Commissioners to be held in 1943 and providing for their terms of office and further amending said City Charter of said City of Lakeland providing for the holding of a general election on the first Tuesday after the first Monday in November of each year and further providing that the registration books for the registering of voters of such city shall be closed thirty days prior to the holding of such election.

Was taken up.

Senator King moved that the rules be further waived and House Bill No. 362 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 362 was read the second time by title only.

Senator King offered the following amendment to House Bill No. 362:

In Section 1, page 2, line 4 (typewritten bill), after the word "removal" and period following it, strike out the rest of the section and insert the following:

"Provided, however, in order to bring the Commission up to the said five members, a special election shall be held on the sixth day of July, 1943, at which election two electors of the City of Lakeland, Florida, shall be elected to such commission. The elector in such election who receives the highest number of votes shall take office as a member of the City Commission at 12 o'clock noon on the thirteenth day of July, 1943, and shall hold such office until 12 o'clock noon on the first day of January, 1946, or until his successor shall be seated. The elector in such election who receives second highest number of votes shall take office as member of the City Commission at 12 o'clock noon on the thirteenth day of July, 1943, and shall hold such office until 12 o'clock noon on the first day of January, 1945. The ballot shall specify the number to be elected and direct the voters to vote for two.

In the special election herein provided for, the City Commission of the City of Lakeland shall cause to be printed on the ballots to be used in such election the name of any quali-

fied elector who has been requested to be a candidate for such office by written petition signed by at least twenty-five qualified electors of such city qualified to vote at such election when such petition has been filed with the City Clerk of said city not less than fourteen days prior to such election. Such petition shall also show the acceptance of the candidate named and his request that his name be printed on the ballot. The City Clerk shall certify to the City Commission the names of all persons so qualified after he has determined that such petitions contain the signatures above required.

The provisions of the City Charter relative to the holding of elections shall apply to this special election except as otherwise provided for herein."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King also offered the following amendment to House Bill No. 362:

In Section 4 (typewritten bill), strike out the entire Section 4, and insert the following:

"Section 4: This Act shall take effect immediately upon its passage for the purpose of its submission to the qualified electors of the City of Lakeland, Polk County, Florida, for its approval or disapproval and shall take effect immediately upon its being approved by a majority vote of the duly qualified electors of the City of Lakeland, Polk County, Florida, voting at a special election which shall be held on the fifteenth day of June, 1943. At such election the ballot shall be in substantially the following form:

BALLOT

Special Election, City of Lakeland, Florida

June 15, 1943.

An Act to amend Sections 12, 161 as amended by Section 4 of Chapter 19929 Laws of Florida 1939, and 163 as amended by Section 8 of Chapter 14176 Session Laws of 1929, of Chapter 10754 Laws of Florida as passed in the 1925 regular session of Florida Legislature as approved June 8, 1925, same being "An Act to abolish the present municipality of the City of Lakeland, Polk County, Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Lakeland, Polk County, Florida, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges and to authorize the said City of Lakeland, Polk County, Florida, to enforce ordinances of said city," said amendments providing that the City Commission of such City of Lakeland shall consist of five electors of the city elected at large, providing for the election of two members to such City Commission of the City of Lakeland at a special election for City Commissioners to be held on the sixth day of July, 1943, and providing for their terms of office and further amending said City Charter of the City of Lakeland so as to provide for the holding of a general election on the first Tuesday after the first Monday in November of each year and further providing that the registration books for the registering of voters of such city shall be closed thirty days prior to the holding of such election.

Place X in one square only.

For the Amendment []

Against the Amendment []

Said election shall be held in accordance with the terms and provisions of the City Charter of the City of Lakeland for the holding of general elections.

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King also offered the following amendment to House Bill No. 362:

In Title, line 17 (typewritten bill), after the comma immediately following the word "large," strike out the rest of said title and insert the following: "Providing for the election of two members to such City Commission of the City of Lakeland at a special election for City Commissioners to be held on the sixth day of July, 1943, and providing for their terms of office and further amending said City Charter of the City of Lakeland so as to provide for the holding of a general election on the first Tuesday after the first Monday in November of each year and further providing that the registration books for the registering of voters of such City shall be closed thirty days prior to the holding of such election and providing a referendum therefor."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King moved that the rules be further waived and House Bill No. 362, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 362, as amended, was read the third time in full.

Upon the passage of House Bill No. 362, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So House Bill No. 362 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 3 was taken up in its order and the consideration thereof was informally passed.

SENATE BILLS ON SECOND READING

By unanimous consent Senator Maines withdrew Senate Bill No. 220.

Senate Bill No. 232 was taken up in its order and the consideration thereof was informally passed.

HOUSE BILLS ON SECOND READING

House Bill No. 265:

A bill to be entitled An Act to make it unlawful to cremate any dead human body prior to the expiration of forty-eight hours after the death of such body and providing a penalty therefor

Was taken up in its order and read the second time in full.

Senator Graham moved that the rules be waived and House Bill No. 265 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 265 was read the third time in full.

Upon the passage of House Bill No. 265 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Cliett, Davis, Graham, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, McKenzie, Perdue, Rose, Shands, Sheldon, Sturgis, Taylor, Upchurch, Wilson—25.

Nays—Senators Brewton, Clarke, Coleman, Franklin, Lewis, Mathews, Shuler—7.

So House Bill No. 265 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Committee Substitute for House Bill No. 177 was taken up in its order and the consideration thereof was informally passed.

House Bill No. 84:

A bill to be entitled An Act to amend Section 901.15 Florida Statutes, 1941, relating to when arrest by officer without warrant is lawful, so as to authorize such arrest for violation of a municipal ordinance committed in the presence of the officer.

Was taken up in its order and read the second time in full.

Senator Mathews moved that the rules be waived and House Bill No. 84 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 84 was read the third time in full.

Upon the passage of House Bill No. 84 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—Senator Maddox—1.

So House Bill No. 84 passed, title as stated, and the

action of the Senate was ordered certified to the House of Representatives.

House Bill No. 107 was taken up in its order and the consideration thereof was informally passed.

HOUSE LOCAL BILLS ON SECOND READING

House Bill No. 193 was taken up in its order and the consideration thereof was informally passed.

MEMORIALS AND PETITIONS

House Memorial No. 8:

A Memorial requesting Congress to continue the appropriation for the work of the Farm Security Administration.

Was taken up in its order and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and House Memorial No. 8 was adopted and the action of the Senate was ordered certified to the House of Representatives.

House Memorial No. 12:

To the Honorable Franklin D. Roosevelt, President of the United States of America.

Was taken up in its order and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and House Memorial No. 12 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Mathews moved that House Bill No. 359 be withdrawn from the Committee on Judiciary "B" and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Mathews moved that the rules be waived and the Senate take up and consider House Bill No. 359, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 359:

A bill to be entitled An Act for the relief of W. T. Londeree on account of personal injuries received by him while an employee of Duval County, a political sub-division of the State of Florida, and engaged upon the performance of his duties as such: Requiring the Board of County Commissioners of said county to investigate such claim and, upon certain findings to settle the same by payment not to exceed the amount of \$1100.00.

Was taken up.

Senator Mathews moved that the rules be waived and House Bill No. 359 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 359 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Bill No. 359 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 359 was read the third time in full.

Upon the passage of House Bill No. 359 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So House Bill No. 359 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1943 Session of the Florida Legislature and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 5:35 o'clock P. M. until 11:00 o'clock A. M., Tuesday, May 11, 1943.